

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

DANA LEIGH BARTON,)
)
 Plaintiff,)
)
 vs.)
)
 FRANK J. TOMECEK, JR., M.D.,)
 FRANK J. TOMECEK, M.D., P.L.C.,)
 An Oklahoma Limited Liability)
 Company Professional, OKLAHOMA)
 SPINE & BRAIN INSTITUTE, L.L.P.,)
 An Oklahoma Limited Liability)
 Partnership, and TULSA SPINE &)
 SPECIALTY HOSPITAL, L.L.C., an)
 Oklahoma Limited Liability Company,)
 BIOMET, INC. an Indiana)
 Corporation, BIOMET SPINE, L.L.C.,)
 an Indiana Limited Liability Company,)
 BIOMET TRAUMA, L.L.C., an)
 Oklahoma Foreign Limited Liability)
 Company, and EBI, L.L.C a New Jersey)
 limited liability corporation,)
)
 Defendants.)

Case No. 11 CV-619 JED TLW

PLAINTIFF'S FINAL WITNESS & EXHIBIT LIST

COMES NOW the Plaintiff, Dana Leigh Barton, by and through her attorneys of record, Fred E. Stoops, Sr., Joel E. LaCourse, and Karman J. Stoops of the law firm of Stoops & LaCourse, PLLC, and hereby submits the following Final Witness & Exhibit List according to the Court's Scheduling Order:

WITNESSES

No.	Name & Address
1.	Dana Leigh Barton c/o Stoops & LaCourse 8801 S. Yale, Suite 420 Tulsa, OK 74137

2.	Frank J. Tomecek, MD c/o Richards & Connor 525 S. Main St., 12 th Floor Tulsa, OK 74103
3.	Alan Moskowitz, M.D. Kansas Joint & Spine 10100 Shannon Woods St. Wichita, KS 67226
4.	Gary Hsu, M.D. Coffeyville Regional Medical Center 1400 W. 4 th St. Coffeyville, KS 67337 620-252-1190
5.	Jimmye Barton S Street Caney, KS 67333 620-879-2779
6.	Kendall Barton PO Box 127 Caney, KS 620-879-2779
7.	Jacklyn Jones, ARNP 218 W. 4 th Ave. Caney, KS 67333 620-879-2182
8.	Eric Sherburn, M.D. Oklahoma Spine & Brain Institute 6802 S. Olympia Ave., Suite 300 Tulsa, OK 74132 918-749-0762
9.	Michael Murphy, M.D. 139 Linden Avenue Branford, CT 06405 203-453-2780
10.	Gregory Goldstein, MD/METIS MD 415 N. LaSalle St., Suite 502 Chicago, IL 60654 800-695-8191 312-890-3999
11.	Lon D. Huff, MS, CRC, CDMS 3233 E. Memorial Rd., Suite 107A Edmond, OK 73013 405-848-9306
12.	Ralph D. Scott, Jr., Ph.D./Economic & Financial Consulting Group, Inc. 6 Richland Hills Cove

	Conway, AR 72034 501-450-1306
13.	Robert M. Osborne, DO 400 N 14th St Independence, KS 67301 620-31-2070
14.	Daniel Morris, D.O. Pain Management of Tulsa 6802 S. Olympia Ave., #100 Tulsa, OK 74132 918-447-9300
15.	Debra Wagner Caney Drug 208 W. 4 th St. Caney, KS 67333 620-879-5822
16.	All witnesses endorsed by Defendants and not objected to by Plaintiff.

EXHIBITS

No.	Description
1	Records of Oklahoma Spine & Brain Institute
2	Records of TSSH
3	Records of Jane Phillips Medical Center
4	Records of Mercy Medical Center
5	Records of Pain Management of Tulsa
6	Records of Kansas Surgery and Recovery Center
7	Records of Bartlesville Physical Rehabilitation
8	Records of Kansas Joint & Spine Institute
9	Records of Gary Hsu, M.D.
10	Records of Robert Osborn, M.D.
11	Records of Kansas Pain Specialists
12	Records of Wesley Medical Center

13	Records of Coffeyville Regional Medical Center
14	Records of Dr. Roger Burch
15	Records of Hanger Prosthetics
16	Records of Jane Phillips Medical Center – Caney Clinic
17	Records of Jane Phillips Medical Center – Specialty Physicians
18	Records of Dr. Jeffrey Hogge
19	Records of Coffeyville Family Practice
20	Records of Olympia Anesthesia
21	Records of Dr. Stanley Mintz
22	Records of Tallgrass Rural Health Clinic
23	Records of Bush Chiropractic
24	Records of Dr. David King
25	Records of Caney Drug
26	Records of The Prescription Shop
27	Records of Sedan Pharmacy
28	Records of Tulsa Pain Consultants
29	Records of H&G Home Medical Pharmacy
30	Records of Walgreens Pharmacy
31	Records of Wal-Mart Pharmacy
32	Records of Olympia Pharmacy
33	Medical bills
34	Summary of medical bills
35	Photographs, Photographs of Plaintiff

36	Videos, Videos of Plaintiff
37	Radiographs of Plaintiff, including but not limited to x-rays, MRI's, CT scans, Doppler studies, etc.
37	Social Security application and records of Plaintiff
39	Report of Ralph Scott
40	Report of Michael Murphy, M.D.
41	Summary of Lost Wages
42	Plaintiff's Income Tax Returns – 2008, 2009
43	All exhibits endorsed by Defendants and not objected to by Plaintiff
44	Medical Illustrations – Annie Gough 1-27
45	Plaintiff's Milwaukee brace
46	Prescription Drug Summary
47	All Exhibits to Depositions
48	Dermatome maps, Dermatome maps and text from Youman's <i>Neurological Surgery</i> © 1990 multi-volume set referred to in Tomecek's deposition
49	PowerPoint used by Dr. Alan Moskowitz
50	Discovery Responses

Respectfully submitted,

/s/ Joel A. LaCourse

Fred E. Stoops, Sr., OBA 8666

Joel A. LaCourse, OBA 17082

Karman J. Stoops, OBA 30743

STOOPS & LACOURSE, PLLC

8801 S. Yale, Suite 420

Tulsa, OK 74137

918-744-7100

918-477-2299 facsimile

fstoops@stoopslacourse.com

joel@stoopslacourse.com

kstoops@stoopslacourse.com

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

This is to certify that on this 8th day of July, 2013, a true and correct copy of the foregoing document was served upon the following individual(s) *via* one or more of the following methods: first-class mail with sufficient postage duly prepaid, facsimile, electronic transmission, or hand delivery.

James W. Connor, Jr., OBA 12248

Linsey E. Williams, OBA 22102

RICHARDS & CONNOR

525 S. Main Street, 12th Floor

Tulsa, OK 74103

918-585-2394

918-585-1449 facsimile

JConnor@richardsconnor.com

LWilliams@richardsconnor.com

Attorneys for Oklahoma Spine & Brain Institute,

LLP, Frank J. Tomecek, Jr., MD, and

Frank J. Tomecek, MD, PLC

/s/ Joel A. LaCourse

On behalf of Stoops & LaCourse, PLLC